

S. No.220

2023:PHHC:138367

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-18750 of 2023

Date of Decision:30.10.2023

Saurabh Kumar @ Sunny

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vinay Puri, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.318 dated 18.11.2022 registered under Sections 379-B, 457, 34 IPC and Section 395, 411 and 201 IPC added subsequently at Police Station Sultanpur Lodhi, District Kapurthala.

Custody certificate has been placed on record, which reveals that petitioner is in custody for the last 11 months and he is involved in one more case also.

Status report by way of affidavit of Shri Babandeep Singh, PPS, Deputy Superintendent of Police, Sub Division Sultanpur Lodhi, District Kapurthala has been filed on behalf of the respondent- State.

As per the allegations, five unidentified persons came in the one shop of the complainant armed with datar and started abusing him and after taking him on datar point, looted ₹4,000/- and also gave datar blow on his head.

It is contended by learned counsel for the petitioner that petitioner is not named in the FIR; that petitioner is in custody for the last 11 months and trial may take time to conclude.

Learned State Counsel concedes that out of 25 witnesses cited by the prosecution, only three have been examined so far. It is also conceded that petitioner was not named in the FIR, but it is he, who was apprehended first of all and disclosed the name of other co-accused.

Having regard to the aforesaid facts and circumstances, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate.

October 30, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No